IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 12168 of 2004

Between:

P.Mutyala Rao, s/o Venkata Swamy,
Komaragiri Primary Agricultural Co.operative Society Ltd. I.Polavaram Mandal, Mumadivaram,
East Godavari District.

..... PETITIONER

AND

1 The Komaragiri Primary Agricultural Co.operative Society Ltd., No.B 1064, rep., by its Special Officer,
Komaragiri, I.Polavaram Mandal, E.G.District.
2 The Divisional Co.operative Officer, Amalapuram, E.G.District.
3 The District Co.operative Officer, Kakinada, East Godavari District
4 The District Co.operative Central Bank Ltd., rep., by its General Manager, Kakinada,
East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or orders, direction or directions, writ of writs, particularly one in the nature of "writ of mandamus" and declare the action of the respondents in continuing the petitioner in suspension passed vide orders dt.7-6-2003, without reviewing the suspension as per Sub Clause (2) of Clause 12 of Special Bye laws is illegal, arbitrary, against the principles of natural justice and against the Sub Clause C(3) of Clause 12 of Special Bye-laws, consequently direct the respondents to permit the petitioner to discharge his duties as paid Secretary of Kommaragiri Primary Agriculture Society Ltd., B-1064, I.Polavaram Mandal, East Godavari District

Counsel for the Petitioner:MR.K.L.N.SWAMY

Counsel for the Respondent No 1.:Mr. T.V.S. Prabhakara Rao
Counsel for Respondent Nos.2 and 3: G.P. for Cooperation

The Court made the following :

ORDER:

The matter relates to termination of services of the petitioner by the 1st respondent-Komaragiri Primary Agricultural Cooperative Credit Society Limited.

I have taken a view in W.P.No.3171 of 2003 and batch dated 30.8.2004 that the writ petition filed against the Society by its employee is not maintainable.

This writ petition is accordingly dismissed in terms of the said judgment. No costs.

14.9.2004

cvm

To,

1 The Spl. Officer, Komaragiri Primary }Along with a copy of the

Agricultural Co.operative Society Ltd., }judgment in W.P.No.3171 of

No.B 1064, Komaragiri, I.Polavaram Mandal, } 2003 and batch dt:30.8.2004.

E.G.District. }

2 The Divisional Co.operative Officer,

Amalapuram, E.G.District.

3 The District Co.operative Officer,

Kakinada, East Godavari District

4 The General Manager, District Co.operative

Central Bank Ltd., Kakinada,
East Godavari District.

5 2 CCs to G.P. for Cooperation (OUT), High Court of A.P., Hyderabad.

6 2 CD copies.